

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicant wishes to express appreciation to Examiner Nguyen the telephone interview of April 5, 2007. During the telephone interview, Applicant's Attorney William Boshnick spoke to the Examiner concerning the rejected claims of the present invention. Specifically, Attorney Boshnick noted that the planar pad identified by the Examiner of GUY is part of a non-electrically conductive wrist-rest 142, and that there would be absolutely no motivation to combine the wrist rest of GUY with the pen 11 of LAI, as not only would such a teaching improperly result from Applicant's own disclosure, but such a combination would render any resulting invention ineffective for its intended purpose, since affixing a wrist-rest to the tip of a pen would not be electrically conductive and therefore would not allow the touchpad to respond to changes in static capacitance. The Examiner agreed and requested that we make such arguments of record in the present Request for Reconsideration.

REMARKS

Upon entry of the present paper, claims 6-13 will remain pending in the present application for consideration by the Examiner. The Examiner has rejected claims 6, 8, 9 and 11 under 35 U.S.C. § 103(a) as being unpatentable over LAI (previously of record) in view of U.S. Patent No. 6,879,315 to GUY et al. Specifically, the Examiner has found that LAI teaches all of the claimed limitations except the planar pad contact face to contact the touch pad, but has found that GUY teaches a planar pad 144, and has concluded that it would have been obvious to include this planar pad into the system of LAI.

Applicant again respectfully traverses the Examiner's rejection, and notes that neither of these references, either taken alone or in any proper combination, teaches or suggests at least the claimed input element having an electrically-conductive generally planar pad contact face, as generally recited in independent claims 6 and 11.

As the Examiner has correctly noted, LAI does not disclose the planar contact face configured to contact the touch pad; however, Applicant notes that GUY further fails to teach or suggest this limitation. Applicant notes that the stylus 40 (user connection element) of GUY does not teach or suggest at least the generally planar pad contact face, but rather shows a rounded tip (shown at the left side of Fig. 6 and described at col. 13, line 63 – col. 14, line 20). The planar pad contact face 144 identified by the Examiner (shown in Figs. 9A-9D) of GUY is part of a (non-electrically conductive) wrist-rest 142. As discussed *supra*, there would be absolutely no motivation to combine the non-electrically-conductive wrist rest of GUY with the pen 11 of LAI, as not only would such a teaching improperly result from Applicant's own disclosure, but such a combination would render any resulting invention ineffective for its intended purpose, since affixing a wrist-rest to the tip of a pen would not be electrically conductive and therefore would not allow the touchpad to

respond to changes in static capacitance. Thus, one of ordinary skill in the art would not turn to GUY to supply the acknowledged deficiencies of L₁AI at least because the teachings of GUY relate to a non-conductive pad of a wrist rest. Therefore, the Examiner has not presented sufficient motivation for the proposed modification, and the only reason to combine the teachings of the applied prior art results from a review of Applicants' disclosure and the application of impermissible hindsight.

With respect to the Examiner's rejection of dependent claims 7-9 and 12-13, Applicant notes that these claims are dependent from one of allowable independent claims 6 or 11, which are allowable for at least the reasons discussed *supra*. Thus, these dependent claims are also allowable for at least the reasons discussed *supra*. Further, all dependent claims set forth a further combination of elements neither taught nor disclosed by any of the applied references.

Thus, Applicant respectfully submits that each and every pending claim of the present application meets the requirements for patentability at least under 35 U.S.C. § 103, and respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone, or in any proper combination thereof, discloses or suggests the present invention, and in further view of the above remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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